

The Honorable Judge Robert S. Lasnik

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

JAMES MCDONALD,

Plaintiff,

v.

ONEWEST BANK, FSB, NORTHWEST  
TRUSTEE SERVICES, INC., MORTGAGE  
ELECTRONIC REGISTRATION  
SYSTEMS, INC., INDYMAC BANK FSB,  
DOES 1-50,

Defendants.

Case No: C10-1952 RSL

**DEFENDANT NWTs' MOTION TO  
SUPPLEMENT RECORD IN  
SUPPORT OF DEFENDANT NWTs'  
MOTION FOR SUMMARY  
JUDGMENT**

**NOTE ON MOTION CALENDAR:  
February 22, 2013**

Defendant Northwest Trustee Services, Inc. ("NWTs") seeks to supplement the record in support of its Motion for Summary Judgment as to Plaintiff's Second Amended Complaint. *See* Dkt. 172 and 174.

Defendant NWTs recently discovered that while its Motion for Summary Judgment fully briefed the existence of and propriety of the beneficiary declaration it received from OneWest in compliance with RCW 61.24.030(7)(a), in error, a copy of the beneficiary declaration was not provided as an exhibit to the Motion for Summary Judgment. *Id.* However, the beneficiary declaration was provided to Plaintiff during discovery in response to Plaintiff's Third Set of Requests for Production directed to Defendant NWTs. Additionally, a copy of the beneficiary declaration was also provided during the January 31, 2013 evidentiary hearing.<sup>1</sup>

<sup>1</sup> *See* Hearing Exhibit ("HE") A-15, Tab 18.

1 Defendant NWTs respectfully submits a copy of the beneficiary declaration and  
2 authenticating declaration of Jeff Stenman, filed herewith, for the Court's consideration in  
3 evaluating the pending Motion for Summary Judgment.

4 DATED this 7<sup>th</sup> day of February, 2013.

5 **ROUTH CRABTREE OLSEN, P.S.**

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7  
8 /s/ Heidi Buck Morrison

9 Heidi Buck Morrison, WSBA No. 41769  
10 Of Attorneys for Defendant Northwest  
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